

McGUIREWOODS LLP

Matthew C. Kane, Esq. (SBN 171829)

Email: mkane@mcguirewoods.com

Remy Kessler, Esq. (SBN 123165)

Email: rkessler@mcguirewoods.com

Amy E. Beverlin, Esq. (SBN 284745)

Email: abeverlin@mcguirewoods.com

Ashley R. Li, Esq. (SBN 317305)

Email: ali@mcguirewoods.com

1800 Century Park East, 8th Floor

Los Angeles, CA 90067

Tel: (310) 315-8200

Fax: (310) 315-8210

Attorneys for Defendants

PERFORMANCE FOOD GROUP, INC. and

KENNETH O. LESTER COMPANY, INC.

Farzad Rastegar (SBN 155555)

farzad@rastegarlawgroup.com

Douglas W. Perlman (SBN 167203)

douglas@rastegarlawgroup.com

Ryan D. Aliman (SBN 315342)

ryan@rastegarlawgroup.com

RASTEGAR LAW GROUP, A.P.C.

22760 Hawthorn Boulevard, Suite 200

Torrance, CA 90505

Tel: (310) 961-9600

Fax: (310) 961-9094

Attorneys for Plaintiff

BENNY NIETO

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

BENNY NIETO, an individual,

Plaintiff,

vs.

PERFORMANCE FOOD GROUP, INC.;
KENNETH O. LESTER COMPANY, INC. and
DOES 1 through 50, inclusive,

Defendants.

CASE NO. 1:20-cv-01408-DAD-JLT

**[PROPOSED] ORDER PERMITTING
PLAINTIFF TO SERVE AND FILE FIRST
AMENDED COMPLAINT**

(Doc. 9)

[PROPOSED] ORDER

Based on the Stipulation between Plaintiff Benny Nieto (“Plaintiff”) and Defendants Performance Food Group, Inc. and Kenneth O. Lester Company, Inc. (“Defendants”) Permitting Plaintiff to Serve and File First Amended Complaint (“FAC”), and for good cause appearing,

IT IS HEREBY ORDERED that:

(1) Plaintiff shall be permitted to serve and file a FAC within twenty-one (21) days of the Court’s entry of this Order;

(2) Defendants shall be permitted to respond to Plaintiff’s FAC, by serving and filing an answer or otherwise serving and filing any motions or other pleadings responsive to the FAC, within twenty-one (21) days of the service and filing of the FAC; and

(3) By entering into their Stipulation, Plaintiffs and Defendants shall not waive and expressly reserve all claims, defenses and challenges in this action, including, without limitation, challenges to the FAC.

IT IS SO ORDERED.

The Court will not again extend time to file the first amended complaint or to respond to it.

Dated: November 29, 2020



JENNIFER L. THURSTON
U.S. MAGISTRATE JUDGE